

REMARKS

Claims 1-36 are pending. Claims 13-23 are amended. No new matter is added. Claims 13-23 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 11, 12, 23, 24, 35 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,929,866 ("Arnold") in view of U.S. Patent No. 5,943,063 ("Dowling"). Claims 1-10 and 25-34 are allowed. The applicant respectfully traverses the rejections and requests reconsideration in view of the remarks and amendments herein.

The applicant filed a Request for Continued Examination (RCE) and an Information Disclosure Statement on July 6, 2007. This amendment is being filed before receipt of a first office action after filing of the RCE. The RCE included an indication that the US Patent and Trademark Office was authorized to charge any deficiencies in fees to a named deposit account, and a one-month extension of time ought to have been charged as so authorized, as a petition for a one-month extension of time was inadvertently not included in the RCE filing.

I. The Section 101 Rejections

The Examiner rejected claims 13-23 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner asserts that the claims are directed to nonfunctional descriptive material, which is not a statutory process, machine, manufacture or composition of matter. The Examiner further asserts the computer program product does not have any functional interrelationship. The Examiner refers to pages 54 and 55 of the 101 Interim Guidelines. The applicant respectfully disagrees.

For the purpose of expediting prosecution, and without prejudice, the applicant has amended the preamble of the independent claims 13 and 22 to read as follows: "A computer-readable medium encoded with a computer program ... comprising instructions operable to cause a programmable processor to". The 101 Interim Guidelines at page 53 clearly indicate that "a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory." Accordingly, the applicant respectfully submits that claims 13 and 22, and claims 14-21 and 23 which depend from claims 13 and 22, are in condition for allowance.

II. The 103 Rejections

The Examiner rejected claims 11, 12, 23, 24, 35 and 36 under 35 U.S.C. § 103(a) as being unpatentable over Arnold in view of Dowling.

Claim 11

Claim 11 reads as follows:

A computer-implemented method, comprising:
receiving a plurality of glyphs to be rendered;
for each glyph, before rasterizing a representation of the glyph, using a scaled stem width of the glyph to select a rendering policy for rendering the glyph, where a rendering policy comprises a plurality of parameters for rendering the glyph including a hinting policy; and
providing a representation of the glyph on a display device.

The Examiner asserts that Arnold discloses “using a scaled stem width of the glyph to select a rendering policy for rendering the glyph”. Specifically, the Examiner asserts that Arnold’s disclosure of using a scaled stroke width in an equation to determine an index, which index is then used with an original density value to determine an adjusted density value (see Arnold’s Fig 6), is a disclosure of using a scaled stem width to select a rendering policy. The applicant respectfully disagrees with this assertion, as determining an adjusted density value is not the same as selecting a rendering policy. Claim 11 clearly states that the rendering policy includes “a plurality of parameters for rendering the glyph including a hinting policy,” and one adjusted density value is not a plurality of parameters, as recited by the claim.

The Examiner concedes that Arnold does not disclose a rendering policy as recited in claim 11. The Examiner therefore also relies on Dowling, asserting that Dowling discloses a hinting policy. The Examiner then makes the assertion that it would have been obvious to modify Arnold such that a hinting policy would be applied at a certain adjusted density value. That is, the Examiner is asserting that Arnold discloses using a scaled stroke width in an equation to determine an index; the index is used to determine an adjusted density value; and it would have been obvious to select a hinting policy based on the determined adjusted density value, in which case the hinting policy and therefore a rendering policy would be selected based on a scaled stem width.

The applicant respectfully submits that there is no basis in either of the references to support the Examiner's assertion of obviousness. Dowling applies a hinting policy to a glyph before a providing a high resolution bitmap for rendering. See Dowling's FIG. 4, where step 80 "align stems based on policy and number of grayscale shades" represents a hinting step. In step 84 high resolution bitmap information for grayscale rendering is provided. Now referring to Arnold's FIG 1a, the step of providing an "adjusted density map", *i.e.*, step 40, occurs after the "high resolution rendering" step 20. That is, if Dowling and Arnold were to be combined, a hinting policy is applied before the adjusted density map is generated.

The Examiner's assertion that Arnold can be modified to select a hinting policy based on an adjusted density value therefore makes no sense; the glyph outline would have already been hinted at that point. Dowling does not disclose selecting a hinting policy based on a scaled stem width. Accordingly, as neither reference discloses the limitation of "using a scaled stem width of the glyph to select a rendering policy", and the Examiner's suggestion of modifying Arnold using Dowling makes no sense in light of Arnold's disclosed process, the references even in combination do not disclose all limitations of claim 11.

The applicant respectfully submits that claim 11 is in condition for allowance. Claim 12 depends from claim 11 and is therefore allowable for at least the same reasons.

The Examiner rejected claims 23, 24, 35 and 36 for reasons corresponding to those relied on in rejecting claims 11 and 12, and for each of the reasons set forth above in reference to claims 11 and 12, these rejections should be withdrawn.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

III. Allowable Subject Matter

The Examiner has indicated that claims 1-10 and 25-34 are allowed.

This amendment is being filed after the submission of a Request for Continued Examination and Information Disclosure Statement, filed July 6, 2007, and before receipt of an

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office action in response to the Request for Continued Examination. No fees are believed due, however, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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